

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEBORA NOVAKOWSKI,)	
)	Civil Action No. 04-356E
Plaintiff,)	
)	Judge McLaughlin
v.)	
)	Electronically Filed
ELAINE CHAO, SECRETARY, and The)	
UNITED STATES DEPARTMENT)	
OF LABOR,)	
)	
Defendants.)	

**DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY
REGARDING A SEXUALLY HOSTILE ENVIRONMENT AND/OR
IRRELEVANT BAD ACTS OF MISCELLANEOUS MALE EMPLOYEES**

AND NOW, come Defendants, Elaine Chao, Secretary, and The United States Department of Labor, by and through their attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for the same district and move the Court to issue an Order excluding all evidence of a sexually hostile environment and/or the irrelevant bad acts and disciplinary records of miscellaneous male employees who have no bearing on the issues of this case. Defendants move the Court on the grounds that such testimony would be highly prejudicial to Defendant, confusing to the jury and irrelevant to the sole issue in this case - Plaintiff's non-selection for a promotion.

A brief in support of this motion is being filed simultaneously herewith and is incorporated herein by reference.

WHEREFORE, Defendants Elaine Chao, Secretary, and The United States Department of Labor, respectfully requests that the Court issue an Order excluding any evidence of a sexually hostile environment and/or the irrelevant bad acts and disciplinary records of miscellaneous male employees who have no bearing on the issues of this case.

Dated: May 30, 2006

Respectfully Submitted,

MARY BETH BUCHANAN
UNITED STATES ATTORNEY

s/ Paul E. Skirtich
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Motion in limine was served electronically or via First Class U.S. Mail on this 30th day of May, 2006, on the following:

John R. Linkosky, Esquire
John Linkosky & Associates
715 Washington Avenue
Carnegie, PA 15106

s/Paul E. Skirtich

Paul E. Skirtich
Assistant U.S. Attorney